## **REMARKS**

The Official Action dated January 22, 2004 has been received and it's contents carefully noted. In view thereof, Applicant hereby elects Group II, claims 3-5, drawn to a process for making a semiconductor device. Further, as can be seen from the foregoing amendments, claims 1 and 2 have been cancelled in their entirety without prejudice nor disclaimer of the subject matter set forth therein. Accordingly, only elected claims 3-5 are presently pending in the instant application.

Examination of claims 3-5 on their merits and early indication of allowability is earnestly solicited.

Should the Examiner believe a conference would be of benefit in expediting the prosecution of the instant application, he is hereby invited to telephone counsel to arrange such a conference.

Respectfully submitted,

Donald R. Studebaker Reg. No. 32,815

Nixon Peabody LLP 401 9th Street N.W.

Suite 900

Washington, D. C. 20004

(202) 585-8000